

TRIPURA**GAZETTE***Published by Authority***EXTRAORDINARY ISSUE**

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PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA
HOME DEPARTMENT

No. 6(2)-PD/2015/3819

27th November, 2018.

NOTIFICATION

In exercise of the powers conferred by Section 357A of the Code of Criminal Procedure, 1973 (Act 2 of 1974), the Governor of Tripura in coordination with the Central Government hereby framed the following scheme for providing fund for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who requires rehabilitation, namely :

1] Short title & Commencement:

- (i) This scheme may be called the Tripura Victim Compensation Scheme, 2018
- (ii) It shall come into effect from the date of issue of the notification.
- (iii) This scheme has been formulated in alignment with the Central Victim Compensation Fund Scheme(CVCF).

2] Definition:

- (i) In this scheme, unless the context otherwise required,
 - (a) "Code" means the Code of Criminal Procedure, 1973(2 of 1974);
 - (b) "Schedule" means Schedule appended to this Scheme;
 - (c) "State" means State of Tripura;
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- d) "Dependent" means any spouse, dependent children upto age of 21 years (including legally adopted children) and dependent parents.
 - (e) "Victim" means a person who has suffered any loss or injury caused by reasons of the act or omission for which the accused person has been charged and the expression 'victim' includes his or her guardian or legal heir.
- (ii) All other words and expressions used herein and not defined but defined in the Scheme shall have the same meaning assigned to them in the Scheme.

3] **Objective:**

This scheme has been formulated as per guidelines of the Central Victim Compensation Fund Scheme to fulfill the following objectives:

- (i) To effectively implement this Victim Compensation Scheme (VCS) notified under the provisions of Section 357 A of Cr. P.C. and continue financial support to victims of various crimes especially sexual offences including rape, acid attacks, crime against children, human trafficking etc.
- (ii) To bring the quantum of compensation amount at par with the Central Victim Compensation Fund Scheme in respect of similar crimes.

4] **Victim Compensation Fund:**

- (i) There shall be constituted a fund namely "Victim Compensation Fund" from which amount of compensation under this scheme shall be paid to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.

The scheme shall be implemented through the Inspector General of Prisons.

The balance fund in Victim Compensation Fund created under the "Victim Compensation Scheme, 2012" shall form the initial corpus under the present scheme. The Victim Compensation Fund shall be credited with 20% of the wages deducted from the convicted

prisoners and such other contribution and or grants as the State or Central Government or any other organization or individual may make from time to time.

As per the Central Victim Compensation Fund Scheme, one time grant amounting Rs. 115.0 lakhs will be provided to the state of Tripura and for that purpose the quantum of compensation mentioned in Tripura Victim Compensation Scheme, 2012 has been modified as per the Central Victim Compensation Fund Scheme.

The fund deducted from wages of convicted persons shall be credited into the Personal Deposit Account (PDA) opened at District Level by the Superintendent of Prison and a separate Personal Deposit Account (PDA) at the State Level by the Inspector General of Prisons.

The fund collected in the PDA at District Level will be transferred by the Superintendent of Prison to PDA maintained by Inspector General of Prisons at the end of every month.

5] Eligibility for Compensation:

- (i) Victim shall be eligible for the grant of compensation if ordered by the Court.
- (ii) Victim shall be eligible for the grant of compensation if;
 - (a) The offender is not traced or identified, but the victim is identified and the victim has to incur a lot of expenses on physical and mental rehabilitation, such victim may also apply grant of compensation under sub-section(4) of section 357A of the Code provided they satisfy the conditions laid down in **clause (b) to (i);**
 - (b) The victim or claimant must report the crime to the Officer-in-Charge of the local Police Station under whose jurisdiction the offence was committed or to the Judicial Magistrate having jurisdiction before making claim for compensation;
 - (c) The victim or claimant (in the case of death of victim) cooperates with the Police and prosecution during the investigation and trial of the case. Turning hostile, refusing

to depose or turn up during trial shall be considered to be non cooperation.

- (d) The crime must be one in which the victim sustains mental or bodily injury or dies;
- (e) The death or permanent incapacitation of the victim was not the result of victim's own wrong doing or own substantial provocation.
- (f) The victim suffers substantial loss of income as a result of the crime or is unable to take care of expenses of medical treatment for injury caused on account of crime.
- (g) Due to death of the victim as a result of the crime, dependents may claim compensation if the family becomes destitute and there is no earning member in the family who will support the dependents.
- (h) The compensation would be admissible to the victim in the event of loss of property worth Rs.1.0 lakh or more and in the event of death or permanent incapacitation of the victim because of act of crime.
- (i) Perpetrators of crime or his / her dependent will not be eligible to any compensation under the Scheme.

6] Procedure for grant of compensation:

(i) Wherever a recommendation for compensation is made by the Court under sub-section(2) or (3) of Section 357A or an application is made by any victim or his dependent under sub-section (4) of Section 357A of the Code to the District Legal Services Authority, it shall then examine the claim and verify the contents of the same with regard to the loss or injury caused to victim arising out of the reported criminal activity and may call for medical report, FIR and related papers, copy of charge sheet / final report of the investigating officer or any other relevant information necessary in order to determine genuineness of the claim. After due enquiry and being satisfied of the commission of the offence, District Legal Services Authority shall determine compensation within two months, in

accordance with provisions of this Scheme appended in the schedule and forward it to the Inspector General of Prisons for payment.

(ii) The quantum of compensation to be determined under the Scheme shall be disbursed by Inspector General of Prisons to the victim or his dependents as directed by the Court or the Legal Services Authority, as the case may, either on personal appearance of the victim in the Office of the Inspector General of Prisons or by other mode of payment, but the payment must be made on an urgent basis.

7] Quantum of compensation:

(i) District Legal Services Authority shall decide the quantum of compensation to be awarded to the victim or his dependents on the basis of loss caused to the victim, medical expenses to be incurred on treatment, minimum sustenance amount required for rehabilitation including such incidental charges as funeral expenses etc. The compensation may vary from case to case depending on fact of each case, but shall not exceed the amount specified in the schedule.

(ii) Compensation received by the victim or dependent from the State in relation to the crime in question, namely, insurance, ex-gratia and / or payment received under any other Act or State-run scheme, shall be considered as part of the compensation amount under these scheme and if the eligible compensation amount exceeds the payments received by the victim from collateral sources mentioned above, the balance amount shall be paid out of Fund.

(iii) The case covered under Motor vehicle Act, 1988(59 of 1988) wherein compensation is to be awarded by the Motor Accident Claim Tribunal and cases covered under existing schemes / facilities e.g. extremist violence scheme, die-in-harness scheme etc, shall not be covered under the scheme.

(iv) The District Legal Services Authority, to alleviate the suffering of the victim, may order for immediate first aid facility or medical treatment to be made available free of cost on the certificate of the Police officer not below the rank of the Officer-in-Charge of the Police Station or Magistrate of the area concerned, or any other interim relief as it may be deem fit.

(v) In case employment is given to any family member of victim of crime, the family would not be eligible to assistance under the scheme. However, in case such employment is given after release of compensation under the scheme, the assistance would not be withdrawn.

8] Order to be placed on record:

Copy of the order of compensation passed under this scheme shall be mandatorily placed on record of the trial Court to enable the Court to pass order of compensation under sub section (3) of Section 357 of the Code.

9] Limitation:

No claim made by the victim or his dependents under sub section (4) of section 357-A of the Code shall be entertained after a period of six months of the crime.

Provided that the District Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the claim for another six months.

10] Appeal:

Any victim aggrieved of the denial of compensation by the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days.

Provided that the State Legal Services Authority, if satisfied, for the reasons to be recorded in writing, may condone the delay in filing the appeal.

11] Power to remove difficulties:

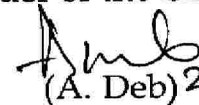
If any difficulty arises in giving effect to provisions of this scheme, the Government may, as occasion arises, by order, do anything not inconsistent with the provisions of this scheme, which appears to be necessary to remove difficulty.

12] Repeal:

The Tripura Victim Compensation Fund Scheme, 2012 stands repealed from the date of issue of the present scheme.

Notwithstanding such repeal, any order issued, action taken or anything whatsoever done under the Rules so repealed shall be deemed to have been made, issued, taken or done under corresponding provisions of these scheme and the provision of Tripura General Clauses Act, 1966 will apply in determining the effect of such repeal.

By order of the Governor,


(A. Deb) 27.11.18

Under Secretary to the
Government of Tripura

SCHEDULE

Minimum amount of compensation

Sl. No.	Description of injuries / loss	Quantum of compensation
1.	Acid Attack (Male)	Rs. 3 lakh
2.	Physical abuse of minor(Male and Female)	Rs. 2 lakh
3.	Rehabilitation of victim of Human Trafficking (Male and Female)	Rs. 1 lakh
4.	Death (Male)	Rs. 2 lakh
5.	Permanent Disability (80% or more) (Male)	Rs. 2 lakh
6.	Partial disability (40% to 80%) (Male)	Rs. 1 lakh
7.	Burns affecting greater than 25 % of the body (excluding Acid Attack cases) (Male)	Rs 2 lakh
8.	Grievous Hurt or Loss of property in Communal violence / Riot (Male and Female)	Maximum amount of compensation shall not exceed Rs.20,000/-(Rupees Twenty thousand).

Note: If the victim is less than 14 years of age, the compensation shall be increased by 50% over and above the amount specified.

Tripura Gazette, Extraordinary Issue, November 30, 2018 A. D.

GOVERNMENT OF TRIPURA
HOME DEPARTMENT

NO.F. 13(24)-PD/17/3818

27th November, 2018.

NOTIFICATION

In exercise of the powers conferred by Section 357A of the Code of Criminal Procedure, 1973(Act of 2 of 1974), the Governor of Tripura in coordination with the Central Government hereby framed the following scheme for providing fund for the purpose of compensation to the women victims or their dependents who have suffered loss or injury as a result of Sexual Assault / other crimes and who requires rehabilitation, namely:

1. SHORT TITLE AND COMMENCEMENT

- (1) This Scheme may be called the **Tripura Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes, 2018.**

Note: This scheme incorporates all the provisions contained in the NALSA's Compensation Scheme for Women victims/Survivors of Sexual Assault / other Crimes, 2018 approved by the Apex Court in W.P(C)565/2012.

- (2) It shall come into force from the date of issue of the notification.
- (3) It shall apply to the victims and their dependent(s) who have suffered loss, injury, as the case may be, as a result of the offence committed and who require rehabilitation.

2. DEFINITIONS

- 1) In this Scheme, unless the context otherwise requires:—

- (a) **“Code”** means the Code of Criminal Procedure, 1973 (2 of 1974);
- (b) **‘Dependent’** includes husband, father, mother, grandparents, unmarried daughter and minor children of the victim as determined by the State Legal Services Authority or District Legal Services Authority on the basis of the report of the Sub- Divisional Magistrate of the concerned area/Station House Officer/Investigating Officer or on the basis of material placed on record by the dependents by way of affidavit or on its own enquiry.
- (c) **“District Legal Services Authority”** means the District Legal Services Authority (DLSA) constituted under section 9 of the Legal Services Authorities Act, 1987 (Act 39 of 1987) for a District of the State of Tripura;
- (d) **‘Form’** means form appended to the Scheme as applicable to this Chapter.
- (e) **‘Fund’** means State fund i.e. victim compensation fund constituted under the State Victim Compensation Scheme.
- (f) **‘Central Fund’** means funds received from CVCF Scheme, 2015.
- (g) **‘Women Victim Compensation Fund’** – means a fund segregated for disbursement for women victim, out of State Victim Compensation Fund and Central Fund.

(h) **‘Government’** means ‘State Government’ wherever the State Victim Compensation

Scheme or the State Victim Compensation Fund is in context and ‘Central Government’ wherever Central Government Victim Compensation Fund Scheme is in context and includes UTs.

(i) **‘Injury’** means any harm caused to body or mind of a female.

(j) **‘Minor’** means a girl child who has not completed the age of 18 years.

(k) **‘Offence’** means offence committed against women punishable under IPC or any other law.

(l) **‘Penal Code’** means Indian Penal Code, 1860 (45 of 1860);

(m) **‘Schedule’** means schedule applicable to this Chapter/Part of the scheme.

(n) **“State Legal Services Authority”** means the State Legal Services Authority (SLSA), as defined in Section 6 of the Legal Services Authorities Act, 1987 (39 of 1987)

(o) **‘Sexual Assault Victims’** means female who has suffered mental or physical injury or both as a result of sexual offence including Sections 376 (A) to (E), Section 354 (A) to (D), Section 509 IPC.

(p) **‘Woman Victim/ survivor of other crime’** means a woman who has suffered physical or mental injury as a result of any offence mentioned in the attached Schedule including Sections 304 B, Section 326A, Section 498A IPC (in case of physical injury of the nature specified in the schedule) including the attempts and abetment.

(2) Words and expressions used in this Chapter and not defined here, shall have the same meaning as assigned to them in the Code of Criminal Procedure, 1973 or/and the Indian Penal Code, 1860.

3. WOMEN VICTIMS COMPENSATION FUND—

(1) There shall be a Fund, namely, the Women Victims Compensation Fund from which the amount of compensation, as decided by the State Legal Services Authority or District Legal Services Authority, shall be paid to the women victim or her dependent(s) who have suffered loss or injury as a result of an offence and who require rehabilitation.

(2) The ‘Women Victims Compensation Fund’ shall comprise the following:-

(a) Contribution received from CVCF Scheme, 2015.

(b) Budgetary allocation in the shape of Grants-in-aid to SLSA for which necessary provision shall be made in the Annual Budget by the Government;

- (c) Any cost amount ordered by Civil/Criminal Tribunal to be deposited in this Fund.
 - (d) Amount of compensation recovered from the wrong doer/accused under clause 14 of the Scheme;
 - (e) Donations/contributions from International/ National/ Philanthropist/ Charitable Institutions/ Organizations and individuals permitted by State or Central Government.
 - (f) Contributions from companies under CSR (Corporate Social Responsibility)
- (3) The said Fund shall be operated by the State Legal Services Authority (SLSA).

4. ELIGIBILITY FOR COMPENSATION –

A woman victim or her dependent (s) as the case may be, shall be eligible for grant of compensation from multiple schemes applicable to her. However, the compensation received by her in the other schemes with regard to Section 357-B Cr.P.C., shall be taken into account while deciding the quantum in the such subsequent application

5. PROCEDURE FOR MAKING APPLICATION BEFORE THE SLSA OR DLSA—

Mandatory Reporting of FIRs: - SHO/SP/DCP shall mandatorily share soft/hard copy of FIR immediately after its registration with State Legal Services Authority/District Legal Services Authority qua commission of offences covered in this Scheme which include Sections 326A, 354A to 354D, 376A to 376E, 304B, 498A (in case of physical injury covered in this Schedule), so that the SLSA/DLSA can, in deserving cases, may suo-moto initiate preliminary verification of facts for the purpose of grant of interim compensation.

An application for the award of interim/ final compensation can be filed by the Victim and/or her Dependents or the SHO of the area before concerned SLSA or DLSA. It shall be submitted in Form 'I' along with a copy of the First Information Report (FIR) or criminal complaint of which cognizance is taken by the Court and if available Medical Report, Death Certificate, wherever applicable, copy of judgment/ recommendation of court if the trial is over.

6. PLACE OF FILING OF APPLICATION—

The application/recommendation for compensation can be moved either before the State Legal Services Authority or the concerned District Legal Services Authority or it can be filed online on a portal which shall be created by all State Legal Services Authorities. The Secretary of the respective DLSA shall decide the application/ recommendation moved before him/her as per the Scheme.

Explanation: In case of acid attack victim the deciding authority shall be Criminal Injury Compensation Board as directed by Hon'ble Supreme Court in Laxmi vs. Union of India W.P.CRML 129/2006 order dated 10.04.2015 which includes Ld. District & Sessions Judge, DM, SP, Civil Surgeon/CMO of the district.

7. RELIEFS THAT MAY BE AWARDED BY THE STATE OR DISTRICT LEGAL SERVICES AUTHORITY. –

The SLSA or DLSA may award compensation to the victim or her dependents to the extent as specified in the scheduled attached hereto.

8. FACTORS TO BE CONSIDERED WHILE AWARDING COMPENSATION –

While deciding a matter, the State Legal Services Authority/District Legal Services Authority may take into consideration the following factors relating to the loss or injury suffered by the victim:

- (1) Gravity of the offence and severity of mental or physical harm or injury suffered by the victim;
- (2) Expenditure incurred or likely to be incurred on the medical treatment for physical and/or mental health including counselling of the victim, funeral, travelling during investigation/ inquiry/ trial (other than diet money);
- (3) Loss of educational opportunity as a consequence of the offence, including absence from school/college due to mental trauma, bodily injury, medical treatment, investigation and trial of the offence, or any other reason;
- (4) Loss of employment as a result of the offence, including absence from place of employment due to mental trauma, bodily injury, medical treatment, investigation and trial of the offence, or any other reason;
- (5) The relationship of the victim to the offender, if any;
- (6) Whether the abuse was a single isolated incidence or whether the abuse took place over a period of time;
- (7) Whether victim became pregnant as a result of the offence, whether she had to undergo Medical Termination of Pregnancy (MTP)/ give birth to a child, including rehabilitation needs of such child;
- (8) Whether the victim contracted a sexually transmitted disease (STD) as a result of the offence;
- (9) Whether the victim contracted human immunodeficiency virus (HIV) as a result of the offence;
- (10) Any disability suffered by the victim as a result of the offence;

- (11) Financial condition of the victim against whom the offence has been committed so as to determine her need for rehabilitation and re-integration needs of the victim.
- (12) In case of death, the age of deceased, her monthly income, number of dependents, life expectancy, future promotional/growth prospects etc.\
- (13) Or any other factor which the SLSA/DLSA may consider just and sufficient.

9. PROCEDURE FOR GRANT OF COMPENSATION—

- (1) Wherever, a recommendation is made by the court for compensation under sub-sections (2) and/or (3) of Section 357A of the Code, or an application is made by any victim or her dependent(s), under sub-section (4) of Section 357A of the Code, to the State Legal Services Authority or District Legal Services Authority, for interim compensation it shall prima-facie satisfy itself qua compensation needs and identity of the victim. As regards the final compensation, it shall examine the case and verify the contents of the claim with respect to the loss/injury and rehabilitation needs as a result of the crime and may also call for any other relevant information necessary for deciding the claim.

Provided that in deserving cases and in all acid attack cases, at any time after commission of the offence, Secretary, SLSA or Secretary, DLSA may *suo moto* or after preliminary verification of the facts proceed to grant interim relief as may be required in the circumstances of each case.

- (2) The inquiry as contemplated under sub-section (5) of Section 357A of the Code, shall be completed expeditiously and the period in no case shall exceed beyond sixty days from the receipt of the claim/petition or recommendation:

Provided that in cases of acid attack an amount of Rs. One lakh shall be paid to the victim within 15 days of the matter being brought to the notice of DLSA. The order granting interim compensation shall be passed by DLSA within 7 days of the matter being brought to its notice and the SLSA shall pay the compensation within 8 days of passing of the order. Thereafter, an amount of Rs. 2 lakhs shall be paid to the victim as expeditiously as possible and positively within two months of the first payment*

Provided further that the victim may also be paid such further amount as is admissible under this Scheme.

(3) After consideration of the matter, the SLSA or DLSA, as the case may be, upon its satisfaction, shall decide the quantum of compensation to be awarded to the victim or her dependent(s) taking into account the factors enumerated in Clause 8 of the Scheme, as per schedule appended to this chapter. However, in deserving cases, for reasons to be recorded, the upper limit may be exceeded.

Moreover, in case the victim is minor, the limit of compensation shall be deemed to be 50% higher than the amount mentioned in the Schedule appended to this chapter.

(4) The SLSA/DLSA may call for any record or take assistance from any Authority/Establishment/Individual/ Police/Court concerned or expert for smooth implementation of the Scheme.

(5) In case trial/appellate court gives findings that the criminal complaint and the allegation were false, then Legal Services Authority may initiate proceedings for recovery of compensation, if any, granted in part or full under this Scheme, before the Trial Court for its recovery as if it were a fine.

10. THE ORDER TO BE PLACED ON RECORD—

Copy of the order of interim or final compensation passed under this Scheme shall be placed on record of the trial Court so as to enable the trial Court to pass an appropriate order of compensation under Section 357 of the Code. A true copy of the order shall be provided to the IO in case the matter is pending investigation and also to the victim/dependent as the case may be.

11. METHOD OF DISBURSEMENT OF COMPENSATION—

(1) The amount of compensation so awarded shall be disbursed by the SLSA by depositing the same in a Bank in the joint or single name of the victim/dependent(s). In case the victim does not have any bank account, the DLSA concern would facilitate opening of a bank account in the name of the victim and in case the victim is a minor along with a guardian or in case, minor is in a child care institution, the bank account shall be opened with the Superintendent of the Institution as Guardian. However, in case the victim is a foreign national or a refugee, the compensation can be disbursed by way of cash cards.

Interim amount shall be disbursed in full. However, as far as the final compensation amount is concerned, 75% (seventy five percent) of the same shall be put in a fixed deposit for a minimum period of three years and the remaining 25% (twenty five percent) shall be available for utilization and initial expenses by the victim/dependent(s), as the case may be.

(2) In the case of a minor, 80% of the amount of compensation so awarded, shall be deposited in the fixed deposit account and shall be drawn only on attainment of the age of majority, but not before three years of the deposit.

Provided that in exceptional cases, amounts may be withdrawn for educational or medical or other pressing and urgent needs of the beneficiary at the discretion of the SLSA/ DLSA.

(3) The interest on the sum, if lying in FDR form, shall be credited directly by the bank in the savings account of the victim/dependent(s), on monthly basis which can be withdrawn by the beneficiary.

12. INTERIM RELIEF TO THE VICTIM—

The State Legal Services Authority or District Legal Services Authority, as the case may be, may order for immediate first-aid facility or medical benefits to be made available free of cost or any other interim relief (including interim monetary compensation) as deemed appropriate, to alleviate the suffering of the victim on the certificate of a police officer, not below the rank of the officer-in-charge of the police station, or a Magistrate of the area concerned or on the application of the victim/ dependents or suo moto.

Provided that as soon as the application for compensation is received by the SLSA/DLSA, a sum of Rs.5000/- or as the case warrants up to Rs. 10,000/- shall be immediately disbursed to the victim through preloaded cash card from a Nationalised Bank by the Secretary, DLSA or Member Secretary, SLSA.

Provided that the, interim relief so granted shall not be less than 25 per cent of the maximum compensation awardable as per schedule applicable to this Chapter, which shall be paid to the victim in totality.

Provided further that in cases of acid attack a sum of Rs. One lakh shall be paid to the victim within 15 days of the matter being brought to the notice of SLSA/DLSA. The order granting interim compensation shall be passed by the SLSA/DLSA within 7 days of the matter being brought to its notice and the SLSA shall pay the compensation within 8 days of passing of order. Thereafter an additional sum of Rs.2 lakhs shall be awarded and paid to the victim as expeditiously as possible and positively within two months.

13. RECOVERY OF COMPENSATION AWARDED TO THE VICTIM OR HER DEPENDENT(S)—

Subject to the provisions of sub-section (3) of Section 357A of the Code, the State Legal Services Authority, in proper cases, may institute proceedings before the competent court of law for recovery of the compensation granted to the victim or her dependent(s) from person(s) responsible for causing loss or injury as a result of the crime committed by him/her.

The amount, so recovered, shall be deposited in Woman Victim Compensation Fund.

14. DEPENDENCY CERTIFICATE—

The authority empowered to issue the dependency certificate shall issue the same within a period of fifteen days and, in no case, this period shall be extended:

Provided that the SLSA/DLSA, in case of non-issuance of Dependency Certificate, after expiry of 15 days, may proceed on the basis of an affidavit to be obtained from the claimant.

15. MINOR VICTIMS -

That in case the victim is an orphaned minor without any parent or legal guardian the immediate relief or the interim compensation shall be disbursed to the Bank Account of the child, opened under the guardianship of the Superintendent, Child Care Institutions where the child is lodged or in absence thereof, DDO/SDM, as the case may be.

16. LIMITATION-

Under the Scheme, no claim made by the victim or her dependent(s), under sub-section (4) of Section 357A of the Code, shall be entertained after a period of 3 years from the date of occurrence of the offence or conclusion of the trial.

However, in deserving cases, on an application made in this regard, for reasons to be recorded, the delay beyond three years can be condoned by the SLSAs/DLSAs.

17. APPEAL:

In case the victim or her dependents are not satisfied with the quantum of compensation awarded by the Secretary, DLSA, they can file appeal within 30 days from the date of receipt of order before the Chairperson, DLSA.

Provided that, delay in filing appeal may be condoned by the Appellate Authority, for reasons to be recorded, in deserving cases, on an application made in this regard.

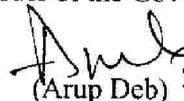
18. REPEAL & SAVINGS—

(1) In case this Scheme is silent on any issue pertaining to Victim Compensation to Women, the provisions of Victim Compensation Scheme of the State would be applicable.

(2) Nothing in this Scheme shall prevent Victims or their dependents from instituting any Civil Suit or Claim against the perpetrator of offence or any other person indirectly responsible for the same.

Explanation: It is clarified that this Scheme does not apply to minor victims under POCSO Act, 2012 in so far as their compensation issues are to be dealt with only by the Ld. Special Courts under Section 33 (8) of POCSO Act, 2012 and Rules (7) of the POCSO Rules, 2012.

By order of the Governor,

 27.11.19
(Arup Deb)

Under Secretary to the
Government of Tripura

SCHEDULE APPLICABLE TO WOMEN VICTIM OF CRIMES

S. No.	Particulars of loss or injury	Minimum Limit of Compensation	Upper Limit of compensation
1	Loss of Life	Rs. 5 Lakh	Rs. 10 Lakh
2	Gang Rape	Rs. 5 Lakh	Rs. 10 Lakh
3	Rape	Rs. 4 Lakh	Rs. 7 Lakh
4	Unnatural Sexual Assault	Rs. 4 Lakh	Rs. 7 Lakh
5	Loss of any Limb or part of body resulting in 80% permanent disability or above	Rs. 2 Lakh	Rs. 5 Lakh
6	Loss of any Limb or part of body resulting in 40% and below 80% permanent disability	Rs. 2 Lakh	Rs. 4 Lakh
7	Loss of any limb or part of body resulting in above 20% and below 40% permanent disability	Rs. 1 Lakh	Rs. 3 Lakh
8	Loss of any limb or part of body resulting in below 20% permanent disability	Rs. 1 Lakh	Rs. 2 Lakh
9	Grievous physical injury or any mental injury requiring rehabilitation	Rs. 2 Lakh	Rs. 2 Lakh
10	Loss of Foetus i.e. Miscarriage as a result of Assault or loss of fertility.	Rs. 2 Lakh	Rs. 3 Lakh
11	In case of pregnancy on account of rape.	Rs.3 Lakh	Rs.4 Lakh
12	Victims of Burning:		
a.	In case of disfigurement of case	Rs. 7 Lakh	Rs. 8 Lakh
b.	In case of more than 50%	Rs. 5 Lakh	Rs. 8 Lakh
c.	In case of injury less than 50%	Rs. 3 Lakh	Rs. 7 Lakh
d.	In case of less than 20%	Rs. 2 Lakh	Rs. 3 Lakh

13.	Victims of Acid Attack-		
a.	In case of disfigurement of face.	Rs. 7 Lakh	Rs. 8 Lakh
b.	In case of injury more than 50%.	Rs. 5 Lakh	Rs. 8 Lakh
c.	In case of injury less than 50%.	Rs. 3 Lakh	Rs. 5 Lakh
d.	In case of injury less than 20%	Rs. 3 Lakh	Rs. 4 Lakh

Note: If a woman victim of sexual assault/acid attack is covered under one or more category of the schedule, she shall be entitled to be considered for combined value of the compensation.

FORM-I

APPLICATION FOR THE AWARD OF COMPENSATION UNDER COMPENSATION SCHEME FOR WOMEN VICTIMS/SURVIVORS OF SEXUAL ASSAULT/OTHER CRIMES, 2018 FOR INTERIM/FINAL RELIEF FOR WOMEN

1.	Name of the Applicant Victim(s) or her Dependent(s)	
2.	Age of the Victim(s) or her Dependent(s)	
3.	(a) Father's Name (b) Mother's Name (c) Spouse's Name	
4.	Address of the Victim(s) or her/their Dependent(s)	
5.	Date and time of the Incident	
6.	Whether FIR has been lodged?	
7.	Whether medical examination has been done? If yes, enclose Medical Report/ Death Certificate /P.M. Report.	
8.	Status of trial, if pending. If over, enclose copy of judgment and order on sentence.	
9.	Has the applicant been awarded any compensation by the trial court or any other Govt. agency. If, yes give details.	
10.	Give details of financial expenditure/ loss incurred	
11.	Have you instituted any civil suit/ claim against the perpetrator of offence. If yes give details. Signature of the Victim/Dependent.	